

**12 Horton Street,
Newburyport**

Application for
**Special Permit for Non-Conformities-
Upward Extension**

September 28, 2021



Mead, Talerman & Costa, LLC
Attorneys at Law

**12 Horton Street,
Newburyport**
Existing Conditions

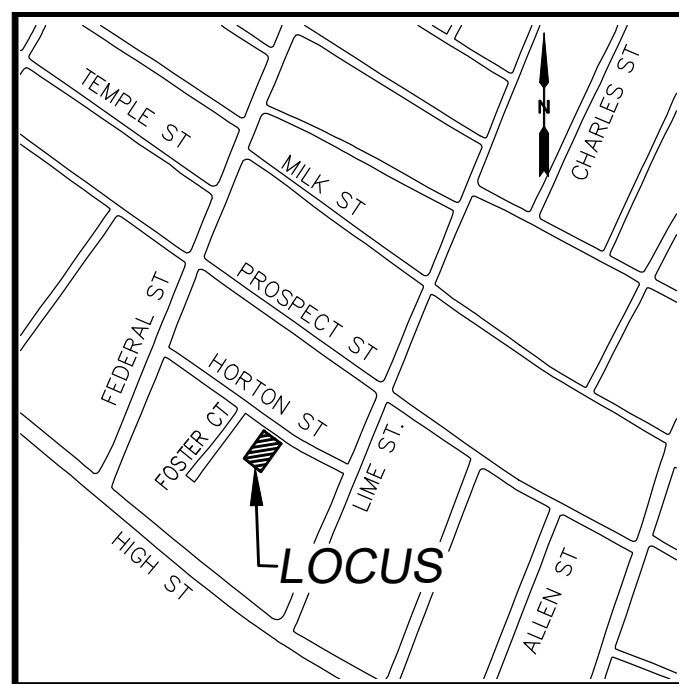
Existing Conditions

- Located in R2 and DCOD Districts.
- Single Family Home with existing nonconformities:
 - Lot Area: Requires 10,000 s.f. where lot has 4,870 s.f.
 - Frontage: Requires 90 feet where lot has 54 feet.
 - Front Yard Setback: 25 feet required where currently is 5.6 feet.
 - West Side Yard Setback: 10 feet required where currently is 5.7 feet.
- DCOD not triggered: removing less than 25% of existing walls.

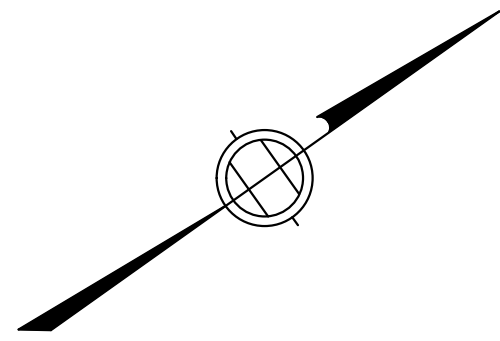
**12 Horton Street,
Newburyport
Proposed Project**

Proposed Project

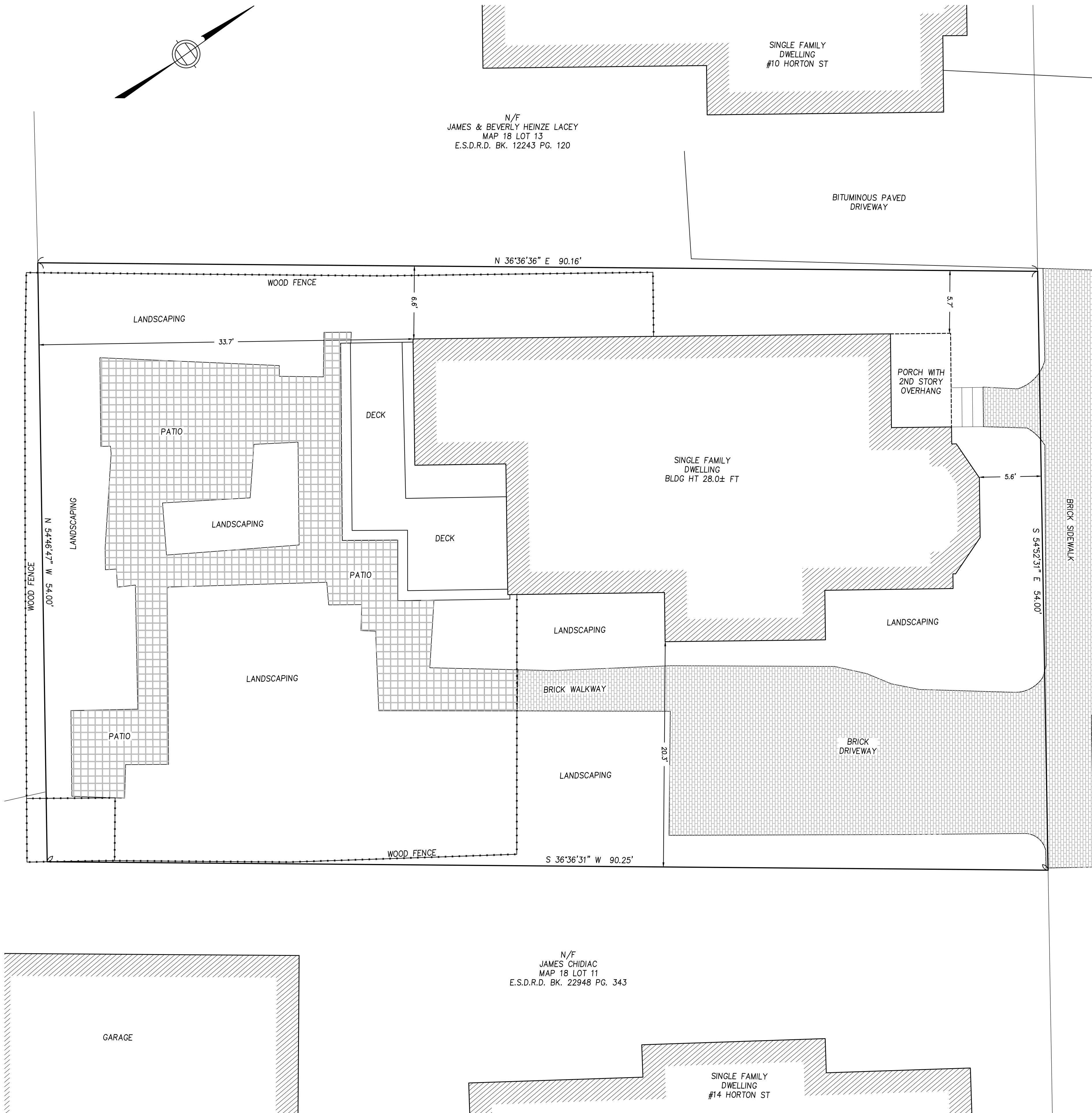
- Project caused by pipe burst on second floor of home that rendered it uninhabitable. Owners are now rebuilding.
- Proposal is to remove existing second story bump out on the rear of the structure and construct second story addition over first floor bump out in its place.
- Addition will be at the rear of the structure and entirely within existing footprint.
- Addition constitutes upward extension of side yard nonconformity.
- Proposal constituted a roofline change. Historical Commission released Demolition Delay at its September 23 meeting.



LOCUS MAP
1"=500 FT



N/F
SUSAN CALLAHAN
MAP 18 LOT 14
E.S.D.R.D. BK. 18651 PG. 317



N/F
JAMES & BEVERLY HEINZE LACEY
MAP 18 LOT 13
E.S.D.R.D. BK. 12243 PG. 120

SINGLE FAMILY
DWELLING
BLDG HT 28.0± FT

N/F
JAMES CHIDIAC
MAP 18 LOT 11
E.S.D.R.D. BK. 22948 PG. 343

GARAGE

SINGLE FAMILY
DWELLING
#14 HORTON ST

ZONING

RESIDENTIAL (R-2)
D.C.O.D.
SINGLE FAMILY

	REQUIRED (SINGLE-FAMILY - 101)	EXISTING (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	10,000 SQUARE FEET	4,870 SQUARE FEET	4,870 SQUARE FEET
MINIMUM LOT FRONTAGE	90 FEET	54.00 FEET	54.00 FEET
FRONT SETBACK	25 FEET	5.6 FEET	5.6 FEET
SIDE SETBACK (R)	10 FEET	5.7 FEET	5.7 FEET
SIDE SETBACK (L)	10 FEET	20.3 FEET	20.3 FEET
REAR SETBACK	25 FEET	33.7 FEET	33.7 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	22.8%	22.8%
MAXIMUM HEIGHT	35 FEET	28 FEET	28 FEET
MINIMUM OPEN SPACE	40.0%	63.2%	63.2%
MINIMUM PARKING REQUIRED	2	2	2

INFORMATION REGARDING ZONING, INCLUDING PARKING ABOVE, SHOWN HEREON IS NOT INTENDED TO BE A DEFINITIVE ZONING OPINION AND IS FOR INFORMATIONAL PURPOSES ONLY. ALL INFORMATION SHOULD BE VERIFIED BY LEGAL COUNSEL PRIOR TO RELIANCE UPON THE SAME.


NOTES

THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON THE LOT AND IS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED ON OCTOBER 18, 2016 AS FIELD VERIFIED ON AUGUST 20, 2021.

OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

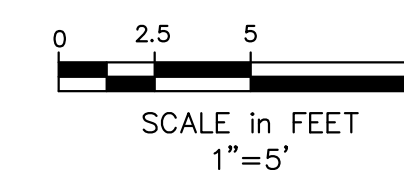
TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THIS PLAN CONFORMS TO THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

HORTON STREET
PUBLIC WAY ~ VARIABLE WIDTH

P.L.S. 
EVERETT J. CHANDLER, P.L.S.
MASS. REGISTRATION NO. 41783

LOCUS TITLE INFORMATION

12 HORTON STREET
OWNER: DAVID MILLER & LISA ADAMS
DEED REFERENCE: BOOK 22161 PAGE 256
ASSESSORS: MAP 18 PARCEL 12



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Winter GEC, LLC

44 MERRIMAC STREET
NEWBURYPORT, MA 01950
978-270-8626

SCALE:
HORIZ: 1"= 5'
VERT: N.A.

NO.	DATE	BY	REVISIONS

FIELD: T.P.T.
CALCS: T.P.T.
CHECKED: EJC
APPROVED: EJC

ZONING PLAN

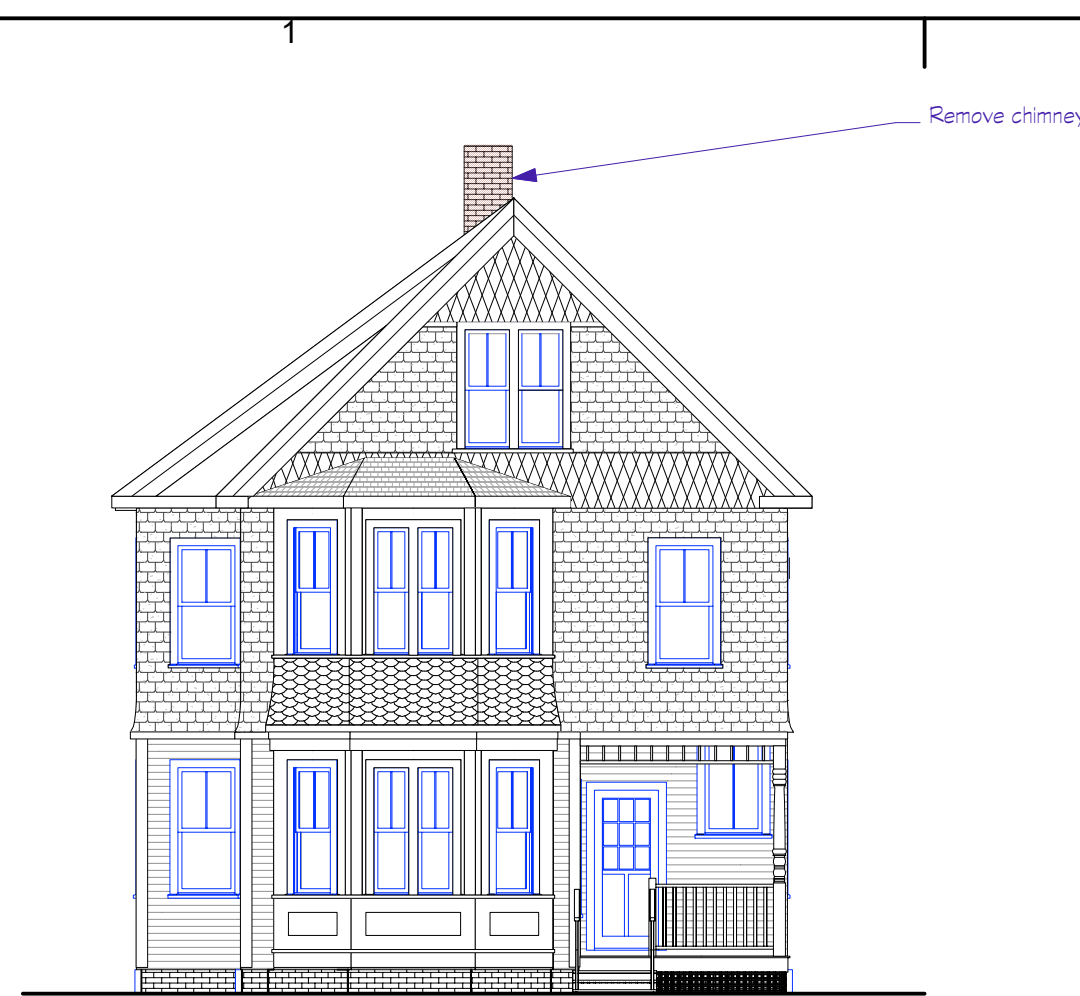
12 HORTON STREET

PLAN OF LAND IN
NEWBURYPORT, MASSACHUSETTS
SURVEYED FOR
DAVID MILLER & LISA ADAMS

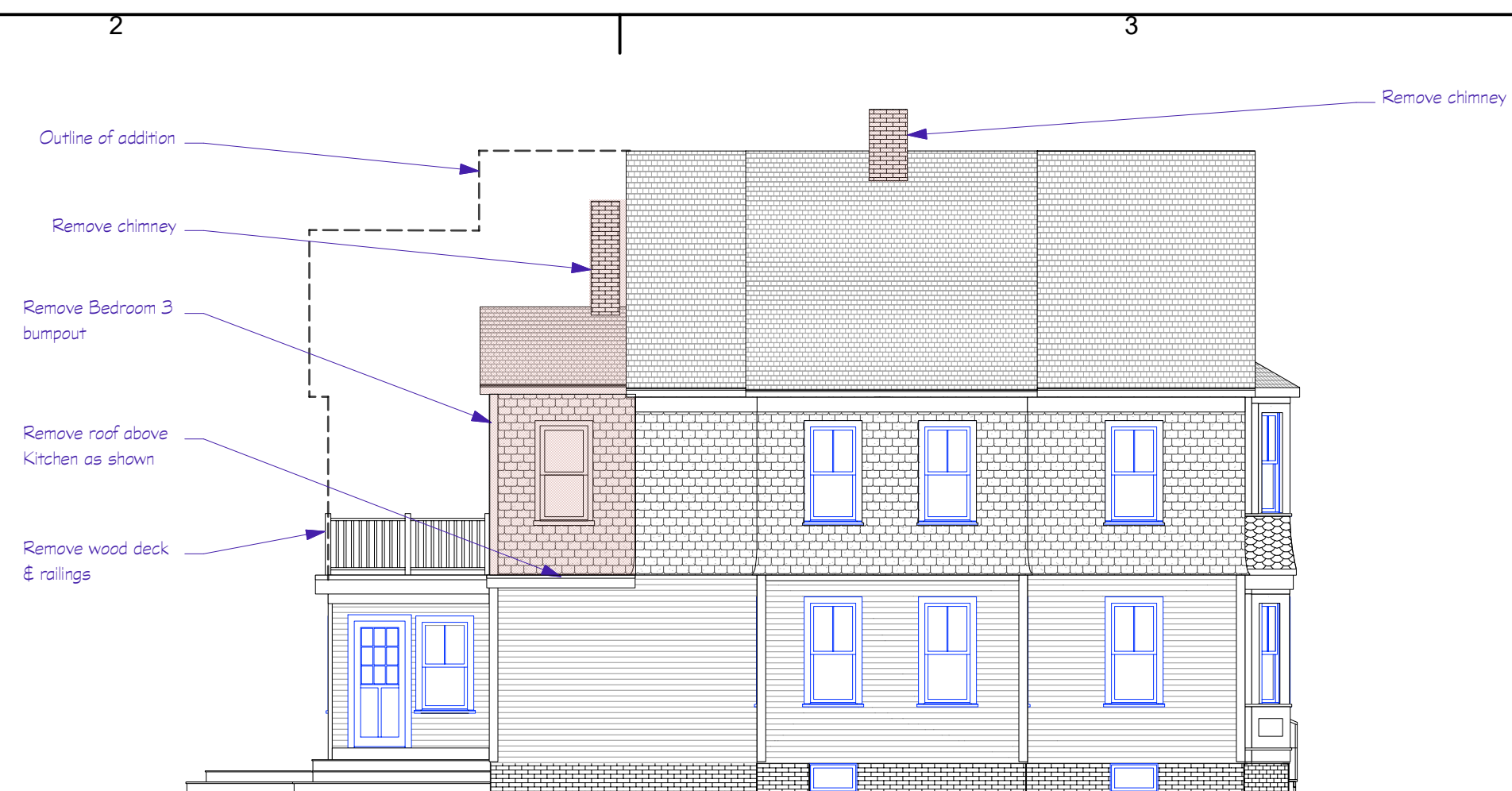
PROJECT NO.
2016-12 HORTON ST
DATE: AUG 20, 2021
SHEET NO.
1 OF 1

1	08/11/21	Progress Set
Issue	Date	Description

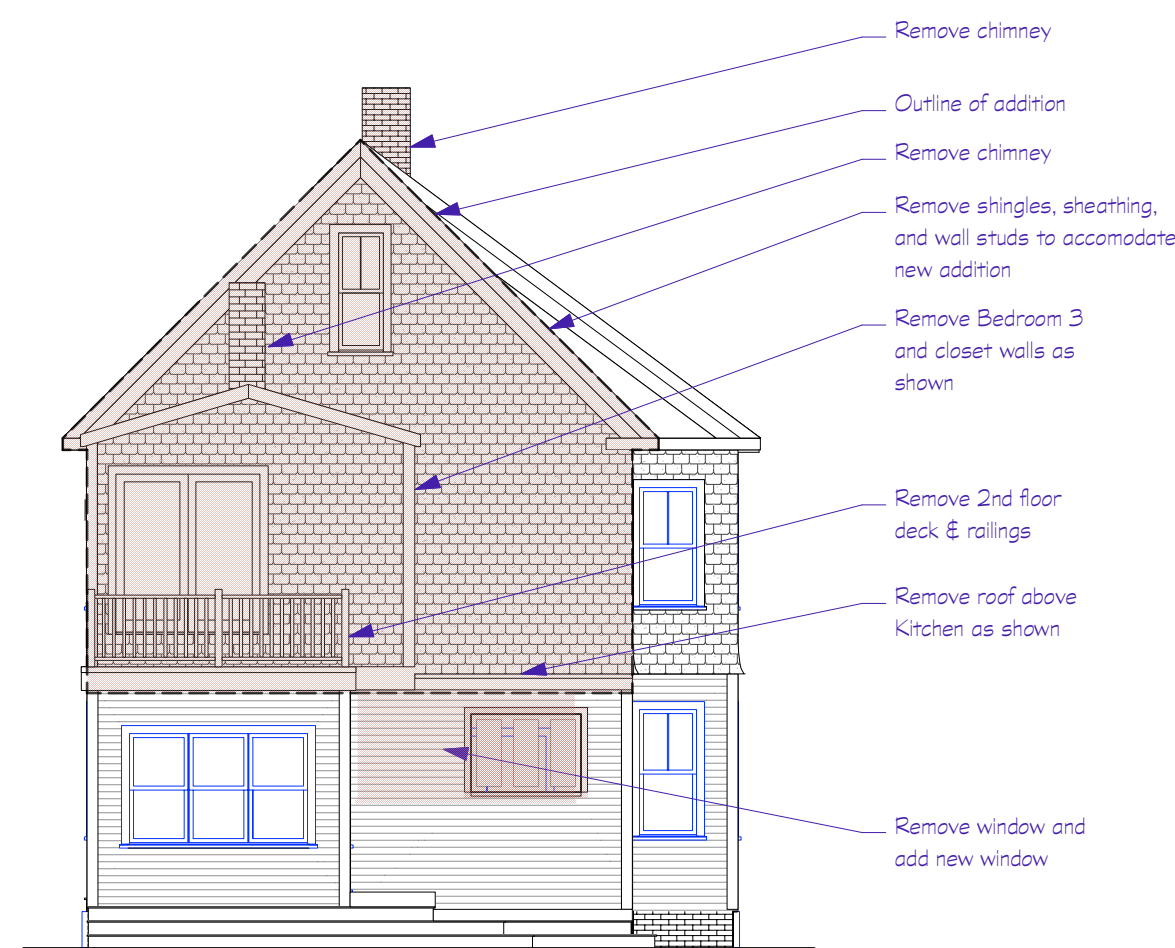
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CAD File Name	2106-00
Drawn By	DS
Reviewed By	KL
Drawing Code	
Scale	As Noted



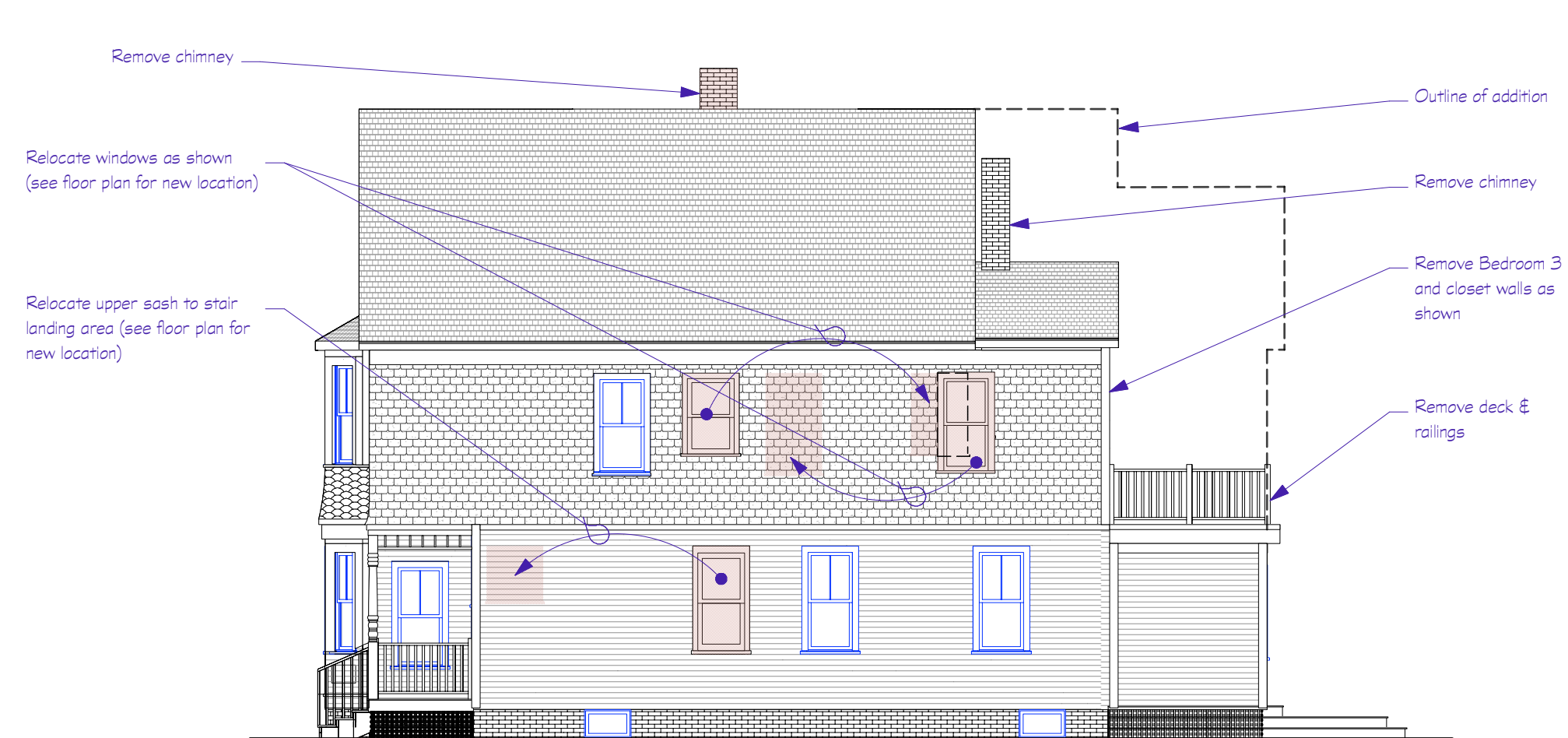
1 Existing North Elevation
 Scale: 1/8" = 1'-0"



2 Existing East Elevation
 Scale: 1/8" = 1'-0"



3 Existing South Elevation
 Scale: 1/8" = 1'-0"



4 Existing West Elevation
 Scale: 1/8" = 1'-0"

Elevations Key:

= Area to be removed or altered

= Area to be added

FACADE DEMOLITION / ALTERATION

	Existing SF	Alterations SF	
North:	719	0	
South:	719	446	
East:	910	75	
West:	910	80	
Totals:	3,258	526	16 %



STREET VIEW: NORTHWEST CORNER



STREET VIEW: NORTH FACADE



STREET VIEW: NORTHEAST CORNER



REAR VIEW: SOUTHEAST CORNER



REAR VIEW: SOUTHWEST CORNER

Consultant

Project Title

Adams-Miller Residence

12 Horton St.
 Newburyport, MA 01950

Information

Issue	Date	Description
1	09/03/21	Updated Window Schedule

Issue/Revision
 Project ID: 2106-00
 CAD File Name: 2106-00
 Drawn By: DS
 Reviewed By: KL
 Drawing Code:
 Scale: As Noted

Sheet Title

Elevations

DD

Drawing No.

A-3.0



1 North Elevation
 Scale: 1/8" = 1'-0"



2 East Elevation
 Scale: 1/8" = 1'-0"



3 South Elevation
 Scale: 1/8" = 1'-0"



4 West Elevation
 Scale: 1/8" = 1'-0"

Consultant

Project Title

Adams-Miller Residence
 12 Horton St.
 Newburyport, MA 01950

Information

Issue	Date	Description
1	07/26/21	Progress Set

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 CAD File Name: 2106-00
 Drawn By: DS
 Reviewed By: KL
 Drawing Code:
 Scale: As Noted

Sheet Title

Square Footages

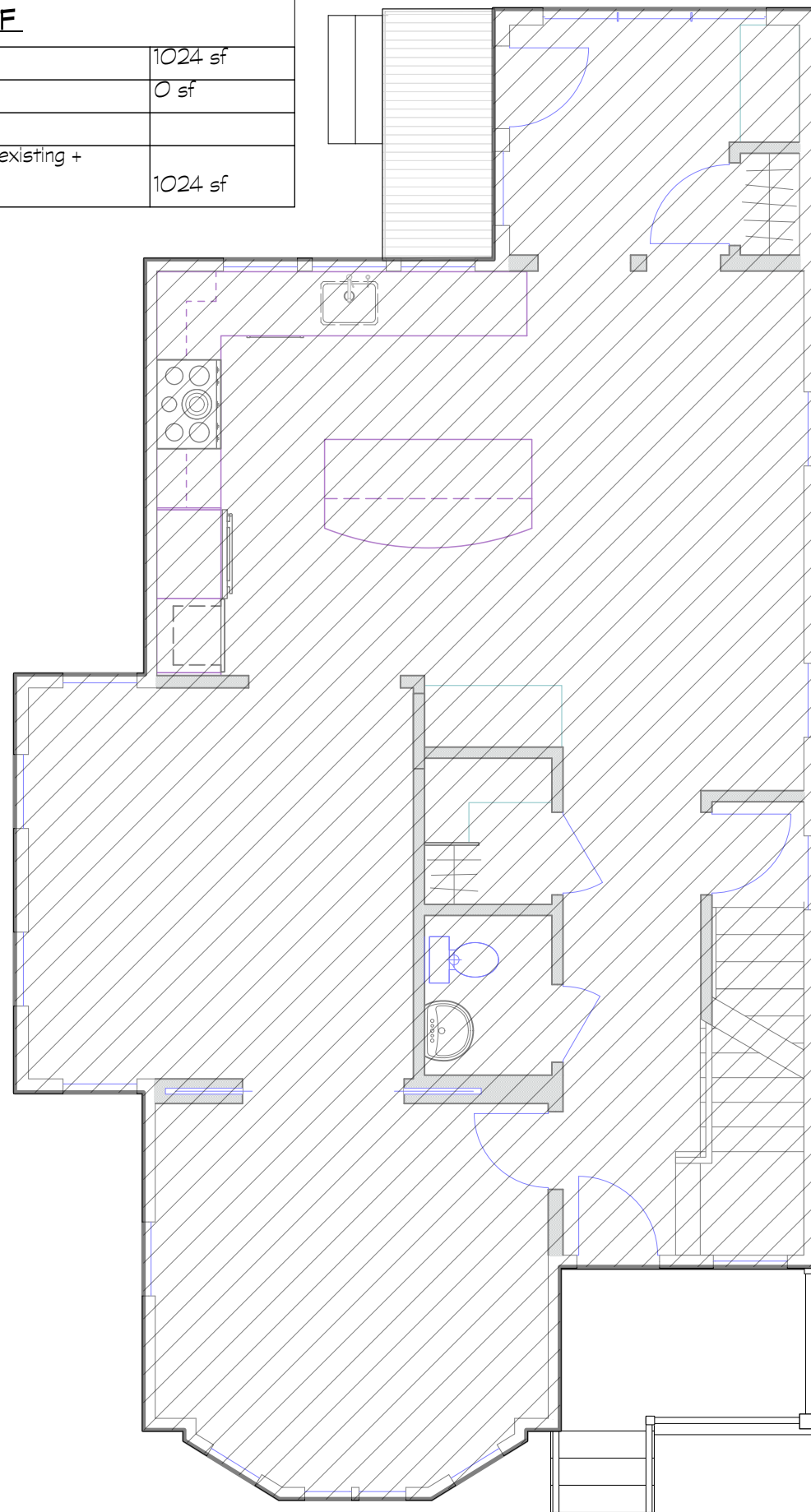
DD

Drawing No.

A-0.1

First Floor SF

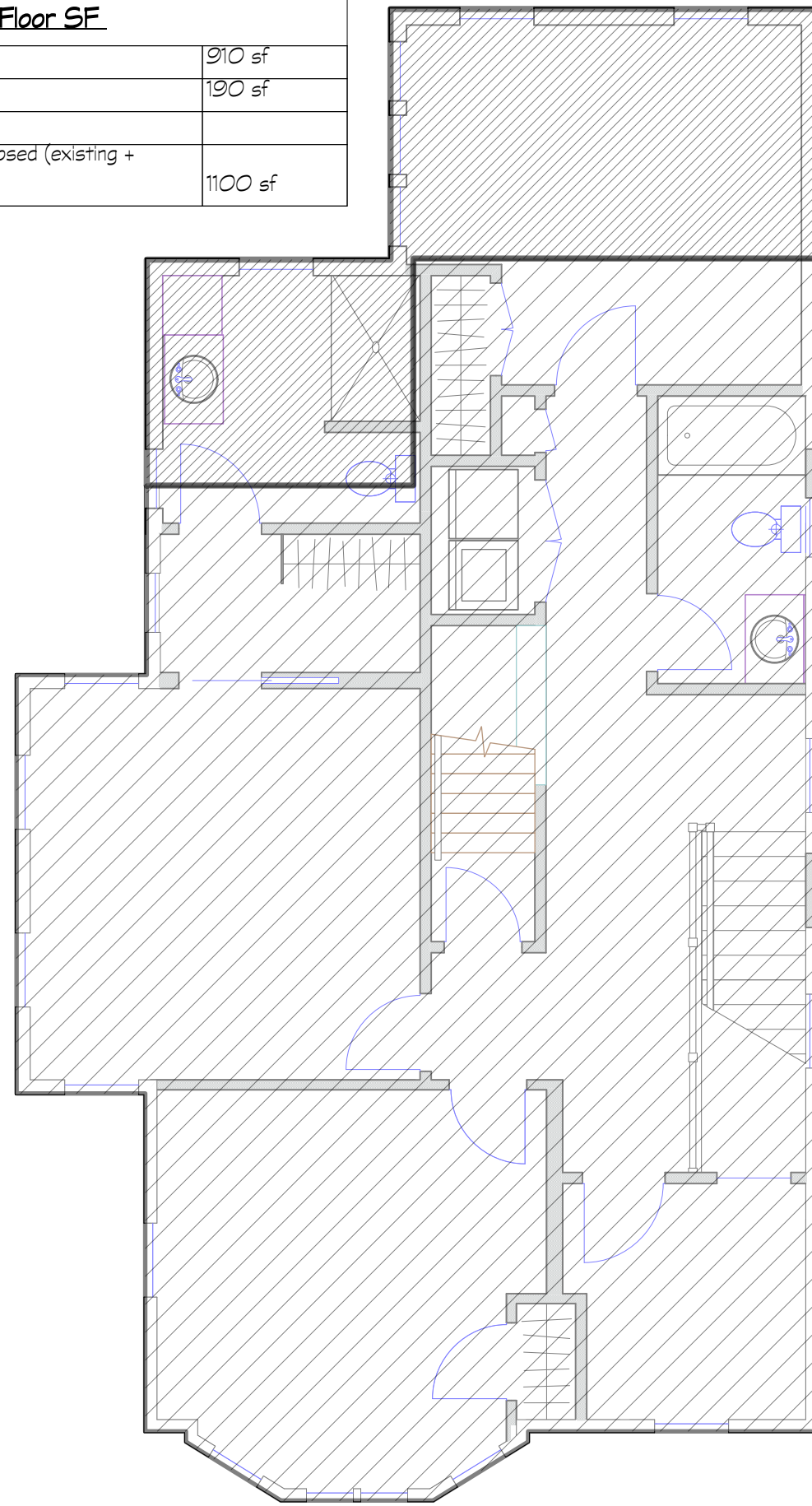
Existing:	1024 sf
Added:	0 sf
Total Proposed (existing + added):	1024 sf



1 First Floor SF
 Scale: 3/16" = 1'-0"

Second Floor SF

Existing:	910 sf
Added:	190 sf
Total Proposed (existing + added):	1100 sf

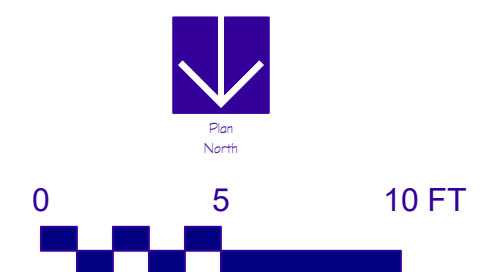
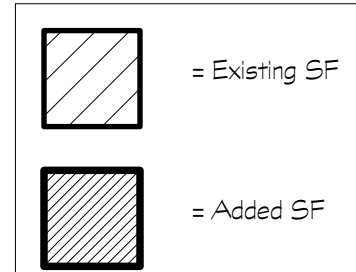


2 Second Floor SF
 Scale: 3/16" = 1'-0"

Total SF

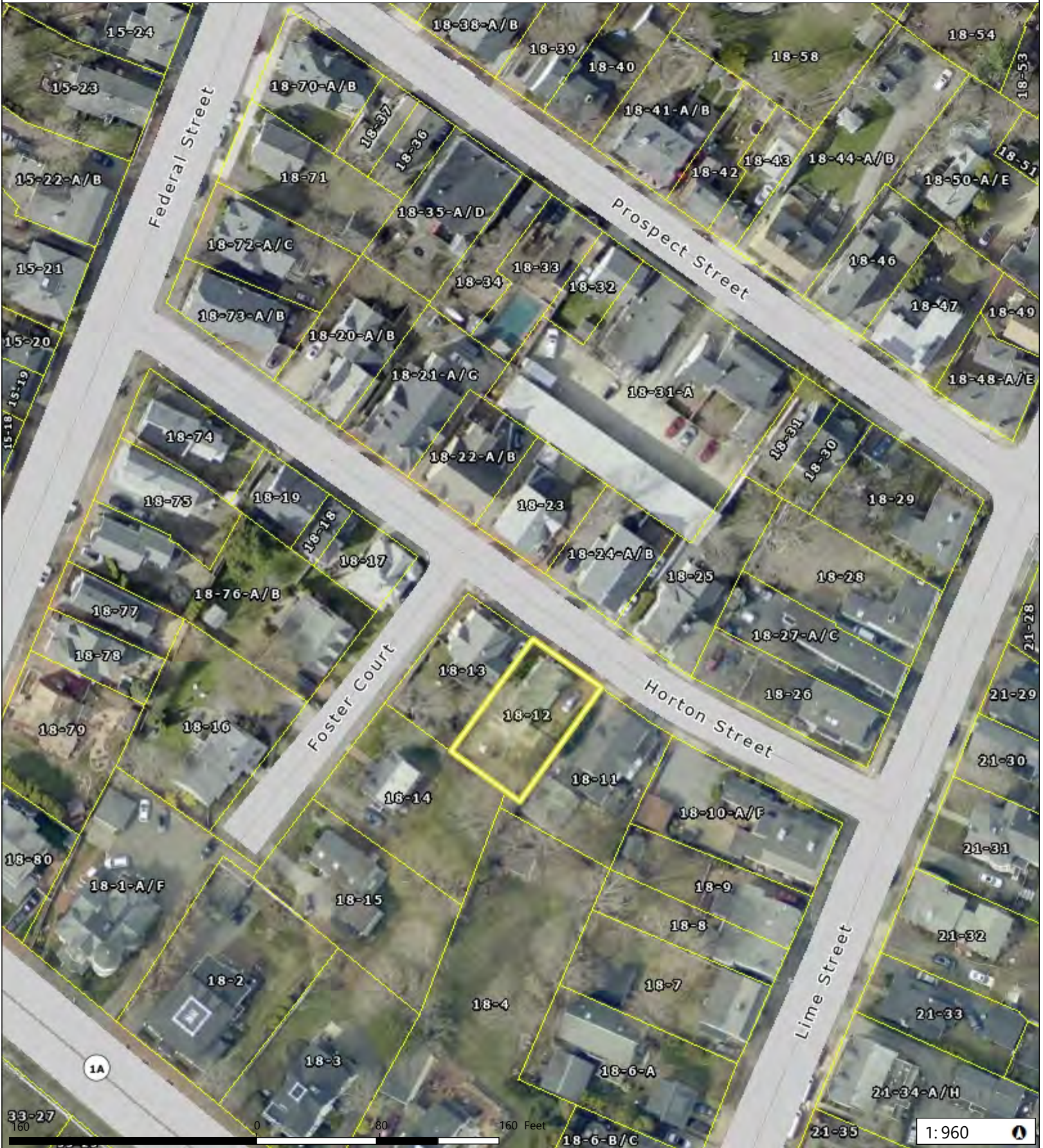
Total Existing:	1934 sf
Total Added:	190 sf
Total Proposed (existing + added):	2124 sf

Floor Plans Key:



City of Newburyport

09/24/2021



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassIT/MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Legend

- Municipal Boundary
- Parcels (on aerial)
- Roads
 - Road Right of Way
 - Interstate
 - Paved
 - Major Road
 - Unpaved
 - Local Road
 - Railroad











Criteria for Special Permit for Nonconformities:

- 1. That there will be no addition of a new nonconformity;**
 - There are no new nonconformities created.**
- 2. That the proposed change will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use.**
 - Project exists entirely within existing structure.**
 - Addition to be constructed to rear of the structure and is not visible from the street. Historic building will maintain existing appearance when viewed from Horton Street.**
 - Numerous abutters support this project. Six provided letters of support.**
 - Proposal is part of repairs that allow owners to return to their home.**
 - While proposed addition is larger than existing bump out this is partially due to internal repairs being made to home to make it more compliant with the Building Code.**